

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-02 INR-10
L-03 NSAE-00 NSC-05 PA-02 SP-02 SS-15 ICA-20
IO-14 ACDA-12 TRSE-00 /103 W
-----093441 050620Z /15

R 041040Z AUG 78
FM AMCONSUL STUTTGART
TO SECSTATE WASHDC 4522
AMEMBASSY BONN
INFO USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
USCINCEUR VAIHINGEN GE
CINCUSAREUR HEIDELBERG GE

UNCLAS STUTTGART 1484

USCINCEUR AND CINCUSAREUR FOR POLADS

E.O. 11652: N/A
TAGS: PINT, GW
SUBJECT: THE FILBINGER AFFAIR - ANOTHER DEATH SENTENCE REVEALED

REF: STUTTGART 1437

1. ON AUGUST 3 THE STUTTGART STAATSMINISTERIUM (STATE MINISTRY)
INFORMED THE PRESS THAT THEY HAD LEARNED AUGUST 2 FROM THE
FEDERAL ARCHIVES IN KORNELIMUENSTER THAT IN AUGUST 1943 A NAVAL
COURT-MARTIAL AT THE REQUEST OF PROSECUTING OFFICER HANS FILBINGER
HAD SENTENCED A SAILOR TO DEATH FOR PLUNDERING (ACCORDING TO
ONE JOURNALIST, FOR PLUNDERING TOOTHPASTE AFTER AN AIR RAID IN
HAMBURG). SENTENCE, HOWEVER, WAS NOT EXECUTED BUT CHANGED TO 8
YEARS IMPRISONMENT AT FILBINGER'S REQUEST. THIS REVELATION
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CONTRADICTS FILBINGER'S STATEMENT IN JULY THAT HE HAD NOT BEEN
INVOLVED IN ANY OTHER CASES IN WHICH HE HAD ASKED FOR THE DEATH
PENALTY.

2. THE STUTTGARTER ZEITUNG REPORTS TODAY (AUGUST 4) THAT SOON
AFTER THE NEW DEATH SENTENCE BECAME KNOWN MINISTER OF INTERIOR
LOTHAR SPAETH, CHAIRMAN OF THE CDU LANDTAG FACTION ERWIN

TEUFEL AND STATE SECRETARY GERHARD MAYER-VORFELDER MET FOR INTENSE DELIBERATIONS DURING WHICH IT WAS AGREED TO REQUEST FILBINGER'S RESIGNATION. STUTTGART MAYOR ROMMEL, HOWEVER, IS REPORTED TO HAVE SAID AUGUST 3 THAT THE CDU WOULD CONTINUE TO SUPPORT FILBINGER DESPITE REVELATION OF THIS NEW CASE AND GERHARD GOLL, THE GOVERNMENT SPOKESMAN, SIMILARLY EXPRESSED THE BELIEF THERE WAS NO REASON FOR FILBINGER TO CHANGE HIS POSITION. JUERGEN MORLOK, FDP LAND CHAIRMAN, REPORTEDLY COMMENTED THAT HE COULD NOT NOW IMAGINE THAT THE FDP WOULD EVER AGREE TO ANY POSSIBLE FUTURE COALITION WITH THE CHRISTIAN DEMOCRATS AS LONG AS FILBINGER REMAINED IN OFFICE. ON JULY 31, THE BADEN-WUERTTEMBERG SPD HAD DECLARED THAT THEY WOULD BOYCOTT ALL MEETINGS WHICH MINISTER PRESIDENT FILBINGER WERE PRESENT EXCEPT FOR FUNCTIONS IN WHICH HE WAS ACTING DIRECTLY IN HIS OFFICIAL CAPACITY.

3. ON AUGUST 7 THERE WILL BE SPECIAL MEETINGS OF THE CDU LANDTAG FACTION, THE LANDESVORSTAND (STATE COMMITTEE) AND DISTRICT LEADERS TO DISCUSS THE FILBINGER AFFAIR.

4. COMMENT: ALTHOUGH SOME CDU MEMBERS INITIALLY MAY HAVE BELIEVED THAT REVELATION OF THIS NEW CASE COULD HAVE HELPED FILBINGER GIVEN HIS REQUEST FOR CHANGE OF SENTENCE FROM DEATH TO IMPRISONMENT, THE REACTION REPORTED ABOVE SUGGESTS THAT HIS SUPPORT WITHIN THE CDU PROBABLY HAS BEEN WEAKENED SERIOUSLY. SCHMELZER

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